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**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
OAKLAND DIVISION**

In re RIPPLE LABS INC. LITIGATION

Case No. 4:18-cv-06753-PJH

This Document Relates to:

ALL ACTIONS

**DECLARATION OF SUZANNE E. NERO
IN SUPPORT OF STIPULATION
MODIFYING CLASS CERTIFICATION
BRIEFING SCHEDULE AND
[PROPOSED] ORDER
[PURSUANT TO L.R. 6-2(a)]**

1 I, Suzanne E. Nero, hereby declare as follows:

2 1. I am a member in good standing of the bar of the State of California, a partner
3 with the law firm King & Spalding LLP, and counsel of record for Defendants Ripple Labs Inc.,
4 XRP II, LLC, and Bradley Garlinghouse. I have personal knowledge of the facts set forth herein,
5 and if called as a witness, could and would testify competently thereto.

6 2. Pursuant to Civil Local Rule 6-2(a), I make this declaration in support of the
7 parties' Stipulation Modifying Class Certification Briefing Schedule and [Proposed] Order.

8 3. On November 18, 2022, Lead Plaintiff filed his Motion for Class Certification
9 ("Motion"), ECF No. 181, and submitted with it the Expert Report of Professor Steven P.
10 Feinstein.

11 4. Defendants' Opposition to Lead Plaintiff's Motion is currently due January 27,
12 2023, pursuant to the Court's Order Re Stipulation to Modify Case Schedule, ECF No. 158.

13 5. On November 29, 2022, I emailed counsel for Lead Plaintiff requesting that Dr.
14 Feinstein appear for a deposition during the week of January 9-13, two weeks before
15 Defendants' Opposition deadline.

16 6. On December 6, 2022, counsel for Lead Plaintiff responded stating that Dr.
17 Feinstein is unavailable to be deposed earlier than January 20, 2023, just one week before
18 Defendants' Opposition deadline.

19 7. On December 6, 2022, I responded that this date was too close to Defendants'
20 Opposition deadline, and if Dr. Feinstein was not available earlier, we requested extending the
21 briefing deadlines (both for Defendants' Opposition and Lead Plaintiff's Reply) by one week to
22 accommodate Dr. Feinstein's schedule. On December 12, 2022, Lead Plaintiff's counsel agreed
23 to this extension.

24 8. Pursuant to Local Rule 6-2(a)(2), the parties have previously requested one
25 modification to the case schedule since the Court issued its Pretrial Order, ECF No. 125. *See*
26 ECF No. 157. On February 23, 2022, the Court partially approved the parties' stipulation to
27

1 modify the case schedule, ECF No. 158.

2 9. The parties do not believe this modification to the briefing schedule will impact
3 any other Courter Ordered deadline or the scheduled class certification hearing date of April 26,
4 2023.

5 I declare under penalty of perjury under the laws of the United States of America that the
6 foregoing is true and correct.

7 Executed this 13th day of December, 2022, at Oakland, California.

8
9 /s/ Suzanne E. Nero
Suzanne E. Nero